

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, SEPTEMBER 21, 2010**

A. Call to Order / Roll call

The Special City Council meeting of September 21, 2010, was called to order by Mayor Katzakian at 7:03 a.m.

Present: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Absent: None

Also Present: Interim City Manager Bartlam, City Attorney Schwabauer, and City Clerk Johl

B. Consent Calendar

Council Member Mounce made a motion, second by Mayor Pro Tempore Hitchcock, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

B-1 Approve Minutes (CLK)

The minutes of August 31, 2010 (Shirtsleeve Session), August 31, 2010 (Special Meeting), September 1, 2010 (Regular Meeting), September 7, 2010 (Shirtsleeve Session), September 14, 2010 (Shirtsleeve Session), and September 15, 2010 (Regular Meeting) were approved as written.

B-2 Adopt Resolution Awarding Contract for Carnegie Forum Re-Roof Project to Hester Roofing, of Sacramento (\$26,240) (PW)

Adopted Resolution No. 2010-159 awarding contract for Carnegie Forum Re-Roof Project to Hester Roofing, of Sacramento, in the amount of \$26,240.

B-3 Adopt Resolution Approving Contract Change Orders for DeBenedetti Park Phase 1 Improvements, 2350 South Lower Sacramento Road, and Appropriating Funds (\$270,000) (PW)

This item was pulled for further discussion by Council Member Johnson.

In response to Council Member Johnson, Public Works Director Wally Sandelin stated the proposed change order is needed because there was an oversight in that staff did not believe that Americans with Disabilities Act (ADA) access was needed for the basin portion of the park. Mr. Bartlam stated ADA access will likely be needed for new and existing parks if the basin is being played on or programmed for usage.

In response to Council Member Johnson, Mr. Schwabauer stated the law does not require

immediate accessibility, but it does require accessibility for all new construction and incorporation into a transition plan for existing construction.

In response to Mayor Katzakian, Mr. Sandelin stated the cost for the change order is compatible with similar improvements at the Grape Bowl but it may have been less expensive if the change was competitively bid with the entire package.

In response to Mayor Pro Tempore Hitchcock, Mr. Sandelin stated the General Plan policy includes removal of basin parks for the future and ADA access will be necessary for field level access.

In response to Mayor Pro Tempore Hitchcock, Mr. Schwabauer stated the City is not liable for not immediately providing ADA accessibility if the facility is incorporated in a transition plan and the transition plan is being followed.

In response to Council Member Johnson, Mr. Bartlam stated the City does not need to have a pathway around the entire park area, it only needs to provide access to the playing field.

Council Member Johnson made a motion, second by Council Member Mounce, to adopt Resolution No. 2010-161 approving contract change orders for DeBenedetti Park Phase 1 Improvements, 2350 South Lower Sacramento Road, and appropriating funds in the amount of \$270,000.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

B-4 Approve Response to the 2009/10 Grand Jury Report Regarding the Public Appointment Process, Information and Technology Security, and Information Services (CLK)

This item was pulled for further discussion by Council Member Johnson.

In response to Council Member Johnson, City Attorney Schwabauer stated background criminal checks are required by State law for those having supervisory or disciplinary authority over minors or those interacting with minors.

General discussion ensued amongst the City Council regarding the need for criminal background checks for boards, committees, and commissions.

Council Member Johnson made a motion, second by Council Member Mounce, to approve response to the 2009/10 Grand Jury report regarding the public appointment process as revised excluding background checks, information and technology security, and information services.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

B-5 Adopt Resolution Authorizing the Application for Grant Funds for the Sustainable

Communities Planning Grant and Incentives Program to Develop a Climate Action Plan for Lodi (CD)

Adopted Resolution No. 2010-160 authorizing the City Manager to submit the application for grant funds for the Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to develop a Climate Action Plan for Lodi.

C. Public Hearings

C-1 Public Hearing to Consider and Approve the 2009/10 Community Development Block Grant Consolidated Annual Performance and Evaluation Report; and the Amendment of the 2010/11 Action Plan to Accommodate the Reallocation of Unused Community Development Block Grant Funds from the 2009/10 Program Year (CD)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Katzakian called for the public hearing to consider and approve the 2009/10 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER); and the amendment of the 2010/11 Action Plan to accommodate the reallocation of unused CDBG funds from the 2009/10 Program Year.

Interim City Manager Bartlam briefly introduced the subject matter of the CDBG public hearing.

Neighborhood Services Manager Joseph Wood provided a PowerPoint presentation regarding the CDBG public hearing and specifically discussed the CAPER, Action Plan Amendment, public review and comment period, CDBG activities, program evaluation, unused funding available, reallocation of said funds for the water meter installation and Van Buskirk Park playground replacement, and proposed approval of the related resolution.

In response to Council Member Hansen, Mr. Wood stated that, as of June 30, 2010, \$4,000 was remaining in the spay and neuter program. Mr. Wood stated the entire allocation was used last year, additional funding was supplemented to the program, and the \$4,000 is from the additional supplement.

In response to Council Member Mounce, Mr. Wood stated funds cannot be rolled over to the next year because the 15% cap would be exceeded.

In response to Council Member Johnson, Mr. Wood stated the LOEL Center kitchen renovation is moving forward, bids came in less than the anticipated amount, and the project was slightly expanded as a result. Mr. Bartlam stated the renovation was held up due to the need of a specific part with an extended lead time.

In response to Mayor Pro Tempore Hitchcock, Mr. Wood stated the expansion of the project includes extended meeting space and an automatic front door entry.

In response to Mayor Pro Tempore Hitchcock, Mr. Bartlam and Mr. Wood stated there are layered funding sources from a variety of sources for this project and in the future an expansion of a project will be brought back to Council for consideration.

In response to Council Member Johnson, Parks and Recreation Superintendent Steve Dutra stated playground equipment replacement is mainly driven by changing State laws, wear and tear, and Americans with Disabilities access requirements.

In response to Council Member Mounce, Mr. Dutra stated the average life expectancy of

playground equipment is 12 to 15 years.

In response to Council Member Hansen, Mr. Bartlam stated the report itself needs to be submitted by October 1 but staff can bring back projects to the City Council for reallocation consideration if it so desires.

Mayor Pro Tempore Hitchcock made a motion, second by Council Member Johnson, to adopt Resolution No. 2010-162 approving the 2009/10 Community Development Block Grant Consolidated Annual Performance and Evaluation Report; and the amendment of the 2010/11 Action Plan to accommodate the reallocation of unused Community Development Block Grant funds from the 2009/10 Program Year.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hansen, Council Member Johnson, Council Member Mounce, Mayor Pro Tempore Hitchcock, and Mayor Katzakian

Noes: None

Absent: None

D. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 7:38 a.m.

ATTEST:

Randi Johl
City Clerk